



Commonwealth of Virginia

VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY

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Regional Director

**STATE WATER CONTROL BOARD
ENFORCEMENT ACTION - ORDER BY CONSENT
ISSUED TO
PAUL S. FIELDS
FOR**

**UNPERMITTED LAND DISTURBING ACTIVITY LOCATED
SOUTHEAST OF THE INTERSECTION OF STATE ROUTES 614 (YUMA
ROAD) AND 714 (WARM SPRINGS ROAD) IN SCOTT COUNTY,
VIRGINIA**

**Virginia Pollutant Discharge Elimination System
Registration Number VAR10K011 (Expired)**

SECTION A: Purpose

This is a Consent Order issued under the authority of Va. Code §§ 62.1-44.15, 62.1-44.15:25, and 62.1-44.15:48, between the State Water Control Board and Paul S. Fields, regarding the unpermitted land disturbing activity located southeast of the intersection of State Routes 614 (Yuma Road) and 714 (Warm Springs Road) in Scott County, Virginia, for the purpose of resolving certain violations of the State Water Control Law and the applicable regulations.

SECTION B: Definitions

Unless the context clearly indicates otherwise, the following words and terms have the meaning assigned to them below:

1. "305(b) report" means the report required by Section 305(b) of the Clean Water Act (33 United States Code § 1315(b)), and Va. Code § 62.1-44.19:5 for providing Congress and

the public an accurate and comprehensive assessment of the quality of State surface waters.

2. "2014 Permit" means the General VPDES Permit for Discharges of Stormwater from Construction Activities, No. VAR10, promulgated at 9 VAC 25-880-70, which was issued under the State Water Control Law, the VSMP Regulations, and the General Permit Regulation on July 1, 2014 and which expired on June 30, 2019.
3. "2019 Permit" means the General VPDES Permit for Discharges of Stormwater from Construction Activities, No. VAR10, promulgated at 9 VAC 25-880-70, which was issued under the State Water Control Law, the VSMP Regulations, and the General Permit Regulation on July 1, 2019 and which expires on June 30, 2024.
4. "Board" means the State Water Control Board, a permanent citizens' board of the Commonwealth of Virginia, as described in Va. Code §§ 10.1-1184 and 62.1-44.7.
5. "Construction activity" means any clearing, grading or excavation resulting in land disturbance of equal to or greater than one acre, or disturbance of less than one acre of total land area that is part of a larger common plan of development or sale if the larger common plan will ultimately disturb equal to or greater than one acre.
6. "Department" or "DEQ" means the Department of Environmental Quality, an agency of the Commonwealth of Virginia, as described in Va. Code § 10.1-1183.
7. "Director" means the Director of the Department of Environmental Quality, as described in Va. Code § 10.1-1185.
8. "Discharge" means the discharge of a pollutant.
9. "Discharge of a pollutant" means:
 - a. Any addition of any pollutant or combination of pollutants to surface waters from any point source; or
 - b. Any addition of any pollutant or combination of pollutants to the waters of the contiguous zone or the ocean from any point source other than a vessel or other floating craft which is being used as a means of transportation.
10. "Fields" means Mr. Paul S. Fields, currently a resident of Scott County, Virginia. Fields is a "person" within the meaning of Va. Code § 62.1-44.3.
11. "General Permit Regulation" means the General VPDES Permit for Discharges of Stormwater from Construction Activities, 9 VAC 25-880-1 et seq.
12. "Land disturbance" or "land-disturbing activity" means a man-made change to the land surface that potentially changes its runoff characteristics including clearing, grading, or

excavation, except that the term shall not include those exemptions specified in Va. Code § 62.1-44.15:34.

13. "Notice of Violation" or "NOV" means a type of Notice of Alleged Violation under Va. Code § 62.1-44.15.
14. "Order" means this document, also known as a "Consent Order" or "Order by Consent," a type of Special Order under the State Water Control Law.
15. "Pollutant" means dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials (except those regulated under the Atomic Energy Act of 1954, as amended (42 U.S.C. § 2011 et seq.)), heat, wrecked or discarded equipment, rock, sand, cellar dirt and industrial, municipal, and agricultural waste discharged into water. . . ." 9 VAC 25-870-10.
16. "Pollution" means "such alteration of the physical, chemical, or biological properties of any state waters as will or is likely to create a nuisance or render such waters (a) harmful or detrimental or injurious to the public health, safety, or welfare or to the health of animals, fish, or aquatic life; (b) unsuitable with reasonable treatment for use as present or possible future sources of public water supply; or (c) unsuitable for recreational, commercial, industrial, agricultural, or other reasonable uses, provided that (i) an alteration of the physical, chemical, or biological property of state waters or a discharge or deposit of sewage, industrial wastes or other wastes to state waters by any owner which by itself is not sufficient to cause pollution but which, in combination with such alteration of or discharge or deposit to state waters by other owners, is sufficient to cause pollution; (ii) the discharge of untreated sewage by any owner into state waters; and (iii) contributing to the contravention of standards of water quality duly established by the Board, are 'pollution.'" Va. Code § 62.1-44.3.
17. "Registration Statement" means a registration statement for coverage under the 2019 Permit.
18. "Site" means the land disturbing activity located southeast of the intersection of State Routes 614 (Yuma Road) and 714 (Warm Springs Road) in Scott County, Virginia, positioned at approximate latitude 36° 36' 49"N and longitude 82° 34' 59"W, from which unpermitted discharges of stormwater associated with construction activity occur.
19. "State Water Control Law" means Chapter 3.1 (§ 62.1-44.2 et seq.) of Title 62.1 of the Va. Code.
20. "State Waters" means all water, on the surface and under the ground, wholly or partially within or bordering the Commonwealth or within its jurisdiction, including wetlands. Va. Code § 62.1-44.3.

21. "Stormwater" means precipitation that is discharged across the land surface or through conveyances to one or more waterways and that may include stormwater runoff, snow melt runoff, and surface runoff and drainage. Va. Code § 62.1-44.15:24.
22. "Stormwater management plan" or "SWM plan" means a document or series of documents containing material describing methods for complying with the requirements of a VSMP or the VSMP Regulations. 9 VAC 25-870-10.
23. "SWPPP" means Stormwater Pollution Prevention Plan, which is a document that is prepared in accordance with good engineering practices and that identifies potential sources of pollutants that may reasonably be expected to affect the quality of stormwater discharges. A SWPPP required under a VSMP for construction activities shall identify and require the implementation of control measures, and shall include, but not be limited to the inclusion of, or the incorporation by reference of an approved erosion and sediment control plan, an approved stormwater management plan, and a pollution prevention plan. 9 VAC 25-870-10.
24. "SWRO" means the Southwest Regional Office of DEQ, located in Abingdon, Virginia.
25. "Virginia Stormwater Management Act" means Article 2.3 (§ 62.1-44.15:24 et seq.) of Chapter 3.1 of Title 62.1 of the Va. Code.
26. "Va. Code" means the Code of Virginia (1950), as amended.
27. "VAC" means the Virginia Administrative Code.
28. "VPDES" means Virginia Pollutant Discharge Elimination System.
29. "VSMP" means the Virginia Stormwater Management Program, which is a program approved by the Soil and Water Conservation Board after September 13, 2011, and until June 30, 2013, or the State Water Control Board on and after June 30, 2013, that has been established by a VSMP authority to manage the quality and quantity of runoff resulting from land-disturbing activities and shall include such items as local ordinances, rules, permit requirements, annual standards and specifications, policies and guidelines, technical materials, and requirements for plan review, inspection, enforcement, where authorized in this article, and evaluation consistent with the requirements of this article and associated regulations. Va. Code § 62.1-44.15:24.
30. "VSMP authority" means an authority approved by the Board after September 13, 2011, to operate a VSMP or, until such approval is given, the Department. An authority may include a locality; state entity, including the Department; federal entity; or for linear projects subject to annual standards and specifications in accordance with subsection B of § 62.1-44.15-31, electric, natural gas, and telephone utility companies, interstate and intrastate natural gas pipeline companies, railroad companies, or authorities created pursuant to § 15.2-5102. Va. Code § 62.1-44.15:24.

31. “VSMP Regulations” means the Virginia Stormwater Management Program (VSMP) Regulations, 9 VAC 25-870-10 et seq.

SECTION C: Findings of Fact and Conclusions of Law

1. Fields owns the Site located in Scott County, Virginia, from which stormwater associated with construction activity is discharged.
2. DEQ is the VSMP authority for the Site.
3. North Fork Holston River is a surface water located partially within the Commonwealth and is a “state water” under the State Water Control Law.
4. North Fork Holston River is located in the Tennessee/Big Sandy River Basin, Holston River Subbasin, Section 1a, Class IV, Special Standards: none. This segment of North Fork Holston River is included in the *TMDL Development for North Fork Holston River Watershed, VA*, which was approved by EPA on September 24, 2014 and by the State Water Control Board on March 25, 2013. This segment of North Fork Holston River is also included in the *Mercury Total Maximum Daily Load Development for the North Fork Holston River, Virginia*, which was approved by EPA on April 26, 2011 and by the State Water Control Board on June 25, 2012. This segment of North Fork Holston River is listed on the 305(b) report as impaired for failure to support the recreation and fish consumption uses due to bacteria and mercury.
5. Fields applied for and, on July 11, 2018, was granted coverage for the Site under the 2014 Permit, which expired on June 30, 2019. Fields was assigned registration number VAR10K011.
6. During Site inspections on April 19, 2017 and August 19, 2020, DEQ staff observed land-disturbing activities in an area subject to stormwater runoff exceeding one acre without permit coverage. Following the April 19, 2017 inspection, Fields submitted a registration statement and stormwater management plan to DEQ in order to obtain coverage under the 2014 Permit, as noted in paragraph C(5), above. Following a review of DEQ records, DEQ staff determined that Fields had not submitted a registration statement for coverage under the 2019 Permit. Additionally, at the time of the August 19, 2020 inspection, DEQ staff observed that Fields had exceeded the approved limits of disturbance, as previously covered under the expired 2014 Permit with registration number VAR10K011.

Va. Code § 62.1-44.15:34(A) states, in part: “A person shall not conduct any land-disturbing activity until he has submitted a permit application to the VSMP authority that includes a state VSMP permit registration statement, if such statement is required, and, after July 1, 2014, a stormwater management plan or an executed agreement in lieu of a stormwater management plan, and has obtained VSMP authority approval to begin land disturbance.”

9 VAC 25-870-310(A) states, in part: “Except in compliance with a state permit issued by the board pursuant to the Virginia Stormwater Management Act, it shall be unlawful for any person to discharge stormwater into state waters from Municipal Separate Storm Sewer Systems or land-disturbing activities.”

Va. Code § 62.1-44.15:24 defines “land-disturbing activity”, in part, as: “[A] man-made change to the land surface that potentially changes its runoff characteristics including clearing, grading, or excavation....”

9 VAC 25-870-10 defines “land-disturbing activity”, in part, as: “[A] manmade change to the land surface that potentially changes its runoff characteristics including clearing, grading, or excavation....”

7. During the Site inspections on April 19, 2017 and August 19, 2020, DEQ staff observed that Fields had received approval for the Site erosion and sediment control (ESC) plan from the Scott County Soil and Water Conservation District (SCSWCD), the Virginia Erosion and Sediment Control Program (VESCP) Authority. However, DEQ staff observed that Fields had not adhered to the approved plan, and additional land-disturbing activities had occurred outside of the approved limits of disturbance.

Va. Code § 62.1-44.15:55(A) states, in part: “Except as provided in § 62.1-44.15:56 for state agency and federal entity land-disturbing activities, no person shall engage in any land-disturbing activity until he has submitted to the VESCP authority an erosion and sediment control plan for the land-disturbing activity and the plan has been reviewed and approved.”

9 VAC 25-870-54(B) states: “An erosion and sediment control plan consistent with the requirements of the Virginia Erosion and Sediment Control Law and regulations must be designed and implemented during construction activities. Prior to land disturbance, this plan must be approved by either the VESCP authority or the department in accordance with the Virginia Erosion and Sediment Control Law and attendant regulations.”

8. During the Site inspection on August 19, 2020, DEQ staff observed that the approved sediment trapping controls had not been installed in accordance with the approved plan, resulting in off-site sediment loss. Specifically, temporary silt fence had not been installed in accordance with the approved plan. Some areas of temporary silt fence identified on the approved plan had not been installed, while other areas of temporary silt fence had not been properly entrenched, allowing sediment laden runoff to discharge from the Site underneath the silt fence without being filtered prior to discharge.

9 VAC 25-840-40(4) states: “Sediment basins and traps, perimeter dikes, sediment barriers and other measures intended to trap sediment shall be constructed as a first step in any land-disturbing activity and shall be made functional before upslope land disturbance takes place.”

9 VAC 25-870-54(B) states, in part: “An erosion and sediment control plan consistent with the requirements of the Virginia Erosion and Sediment Control Law and regulations must be designed and implemented during construction activities.”

9. During the Site inspection on August 19, 2020, DEQ staff observed sediment being actively transported onto Virginia State Route 614 as a result of vehicle and equipment egress from the Site.

9 VAC 25-840-40(17) states: “Where construction vehicle access routes intersect paved or public roads, provisions shall be made to minimize the transport of sediment by vehicular tracking onto the paved surface. Where sediment is transported onto a paved or public road surface, the road surface shall be cleaned thoroughly at the end of each day. Sediment shall be removed from the roads by shoveling or sweeping and transported to a sediment control disposal area. Street washing shall be allowed only after sediment is removed in this manner. This provision shall apply to individual development lots as well as to larger land-disturbing activities.”

9 VAC 25-870-54(B) states, in part: “An erosion and sediment control plan consistent with the requirements of the Virginia Erosion and Sediment Control Law and regulations must be designed and implemented during construction activities.”

10. During the Site inspection on August 19, 2020, DEQ staff observed that sediment control measures were not being properly maintained in an effective operating condition.

9 VAC 25-840-60(A) states, in part: “All erosion and sediment control structures and systems shall be maintained, inspected and repaired as needed to insure continued performance of their intended function.”

11. During the Site inspection on August 19, 2020, DEQ staff observed evidence to suggest that sediment laden storm flows had been discharged from the Site onto adjacent properties and into State Waters without first being filtered by sediment trapping controls.

Va. Code § 62.1-44.5(A) states, in part: “Except in compliance with a certificate or permit issued by the Board or other entity authorized by the Board to issue a certificate or permit pursuant to this chapter, it shall be unlawful for any person to... 5. Discharge stormwater into state waters from... land disturbing activities.”

9 VAC 25-870-310(A) states, in part: “Except in compliance with a state permit issued by the board pursuant to the Virginia Stormwater Management Act, it shall be unlawful for any person to discharge stormwater into state waters from Municipal Separate Storm Sewer Systems or land-disturbing activities.”

9 VAC 25-840-40(4) states: “Sediment basins and traps, perimeter dikes, sediment barriers and other measures intended to trap sediment shall be constructed as a first step in any land-disturbing activity and shall be made functional before upslope land disturbance takes place.”

9 VAC 25-870-54(B) states, in part: “An erosion and sediment control plan consistent with the requirements of the Virginia Erosion and Sediment Control Law and regulations must be designed and implemented during construction activities.”

12. On August 27, 2020, SWRO issued Notice of Violation No. NOV-005-0820-SC for the violations noted in paragraphs C(6) through C(11) of this Order.
13. On September 2, 2020, Fields contacted DEQ enforcement staff via telephone in response to the August 27, 2020 NOV. Fields inquired about actions necessary in order to achieve compliance at the Site. DEQ staff communicated to Fields the steps that would need to be taken in order to bring the Site into compliance. Fields indicated that he planned to direct his engineer to begin working on modifications to the ESC and SWM plans and to begin preparation of a 2019 Permit application package. DEQ staff requested that Fields provide an update regarding the anticipated timeframe for submittal of the plan modifications and 2019 Permit application package once he had contacted his engineer.
14. On September 21, 2020, DEQ enforcement staff contacted Fields via email to inquire about the anticipated timeframe for submittal of plan modifications and a 2019 Permit application package. Fields did not respond to the email correspondence.
15. On October 5, 2020, Fields contacted DEQ enforcement staff via telephone and again inquired about actions necessary in order to achieve compliance at the Site. DEQ staff again communicated to Fields the steps that would need to be taken in order to bring the Site into compliance. DEQ staff also again asked Fields to provide an anticipated timeframe for submittal of plan modifications and a 2019 Permit application package. Fields advised that he would provide an anticipated timeframe after speaking with his engineer. Fields did not follow up with an anticipated timeframe.
16. On October 13, 2020, DEQ compliance staff conducted a Site visit after being notified by the SCSWCD that Fields had resumed unpermitted land disturbing activities. During the Site visit, DEQ staff observed Fields actively excavating soil material from the toe of the cut slope and placing it to the west side of the existing on Site storage buildings without sediment trapping controls in place and without approved ESC and SWM plans for the activities.
17. On October 27, 2020, DEQ received a SWM plan modification package from Fields' engineer. The plan modification package did not include a registration statement for coverage under the 2019 Permit. On November 24, 2020, DEQ issued plan review comments to Fields requesting additional information and revisions to the plan modification.
18. On March 17, 2021, DEQ issued approval for the Site SWM plan submitted by Fields' engineer. On April 15, 2021, DEQ issued coverage for the Site under 2019 Permit Registration Number VAR10P002.

19. The Department has not issued coverage under any other permit or certificate to Fields for the land-disturbing activities at the Site, other than under the 2014 Permit and 2019 Permit.
20. Based on the results of the April 19, 2017 and August 19, 2020 Site inspections and the October 13, 2020 DEQ Site visit, the Board concludes that Fields violated Va. Code §§ 62.1-44.15:34(A), 62.1-44.15:55(A), 62.1-44.5(A), and Regulations 9 VAC 25-870-310(A), 9 VAC 25-870-54(B), 9 VAC 25-840-40(4), 9 VAC 25-840-40(17) and 9 VAC 25-840-60(A), as described in paragraphs C(6) through C(16) of this Order.
21. In order for Fields to complete his return to compliance at the Site, DEQ staff and Fields have agreed to the Schedule of Compliance, which is incorporated as Appendix A of this Order.

SECTION D: Agreement and Order

Accordingly, by virtue of the authority granted it in Va. Code §§ 62.1-44.15, 62.1-44.15:25, and 62.1-44.15:48, the Board orders Paul S. Fields, and Paul S. Fields agrees to:

1. Perform the actions described in Appendix A of this Order; and
2. Pay a civil charge of \$774.00 in settlement of the violations cited in this Order. The civil charge shall be paid in accordance with the following schedule:

Payment 1	\$387.00 or balance	Due July 1, 2021
Payment 2	\$387.00	Due August 1, 2021

If the Department fails to receive a civil charge payment pursuant to the schedule described above, the payment shall be deemed late. If any payment is late by 30 days or more, the entire remaining balance of the civil charge shall become immediately due and owing under this Order, and the Department may demand in writing full payment by Paul S. Fields. Within 15 days of receipt of such letter, Paul S. Fields shall pay the remaining balance of the civil charge. Any acceptance by the Department of a late payment or of any payment of less than the remaining balance shall not act as a waiver of the acceleration of the remaining balance under this Order.

Payment shall be made by check, certified check, money order or cashier's check payable to the "Treasurer of Virginia," and delivered to:

Receipts Control
Department of Environmental Quality
Post Office Box 1104
Richmond, Virginia 23218

Paul S. Fields shall indicate that the payment is being made in accordance with the requirements of this Order for deposit into the Virginia Stormwater Management Fund. If the Department has to refer collection of moneys due under this Order to the Department of Law, Paul S. Fields shall be liable for attorneys' fees of 30% of the amount outstanding.

SECTION E: Administrative Provisions

1. The Board may modify, rewrite, or amend this Order with the consent of Fields for good cause shown by Fields, or on its own motion pursuant to the Administrative Process Act, Va. Code § 2.2-4000 et seq., after notice and opportunity to be heard.
2. This Order addresses and resolves only those violations specifically identified in Section C of this Order and in NOV No. NOV-005-0820-SC dated August 27, 2020. This Order shall not preclude the Board or the Director from taking any action authorized by law, including but not limited to: (1) taking any action authorized by law regarding any additional, subsequent, or subsequently discovered violations; (2) seeking subsequent remediation of the facility; or (3) taking subsequent action to enforce the Order.
3. For purposes of this Order and subsequent actions with respect to this Order only, Fields admits the jurisdictional allegations, findings of fact, and conclusions of law contained herein.
4. Fields consents to venue in the Circuit Court of the City of Richmond for any civil action taken to enforce the terms of this Order.
5. Fields declares he has received fair and due process under the Administrative Process Act and the State Water Control Law and he waives the right to any hearing or other administrative proceeding authorized or required by law or regulation, and to any judicial review of any issue of fact or law contained herein. Nothing herein shall be construed as a waiver of the right to any administrative proceeding for, or to judicial review of, any action taken by the Board to modify, rewrite, amend, or enforce this Order.
6. Failure by Fields to comply with any of the terms of this Order shall constitute a violation of an order of the Board. Nothing herein shall waive the initiation of appropriate enforcement actions or the issuance of additional orders as appropriate by the Board or the Director as a result of such violations. Nothing herein shall affect appropriate enforcement actions by any other federal, state, or local regulatory authority.
7. If any provision of this Order is found to be unenforceable for any reason, the remainder of the Order shall remain in full force and effect.
8. Fields shall be responsible for failure to comply with any of the terms and conditions of this Order unless compliance is made impossible by earthquake, flood, other acts of God, war, strike, or such other unforeseeable circumstances beyond his control and not due to a lack of good faith or diligence on his part. Fields shall demonstrate that such circumstances were

beyond his control and not due to a lack of good faith or diligence on his part. Fields shall notify the DEQ Regional Director verbally within 24 hours and in writing within three business days when circumstances are anticipated to occur, are occurring, or have occurred that may delay compliance or cause noncompliance with any requirement of the Order. Such notice shall set forth:

- a. the reasons for the delay or noncompliance;
- b. the projected duration of any such delay or noncompliance;
- c. the measures taken and to be taken to prevent or minimize such delay or noncompliance;
and
- d. the timetable by which such measures will be implemented and the date full compliance will be achieved.

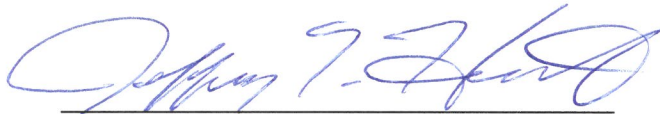
Failure to so notify the Regional Director verbally within 24 hours and in writing within three business days, of learning of any condition above, which the parties intend to assert will result in the impossibility of compliance, shall constitute a waiver of any claim to inability to comply with a requirement of this Order.

9. This Order is binding on the parties hereto and any successors in interest, designees and assigns, jointly and severally.
10. This Order shall become effective upon execution by both the Director or his designee and Fields. Nevertheless, Fields agrees to be bound by any compliance date which precedes the effective date of this Order.
11. This Order shall continue in effect until:
 - a. the Director or his designee terminates the Order after Fields has completed all of the requirements of the Order;
 - b. Fields petitions the Director or his designee to terminate the Order after he has completed all of the requirements of the Order and the Director or his designee approves the termination of the Order; or
 - c. the Director or Board terminates the Order in his or its sole discretion upon 30 days' written notice to Fields.

Termination of this Order, or any obligation imposed in this Order, shall not operate to relieve Fields from his obligation to comply with any statute, regulation, permit condition, other order, certificate, certification, standard, or requirement otherwise applicable.

12. Any plans, reports, schedules or specifications attached hereto or submitted by Fields and approved by the Department pursuant to this Order are incorporated into this Order. Any non-compliance with such approved documents shall be considered a violation of this Order.
13. Any documents to be submitted pursuant to this Order shall be submitted by Fields or an authorized representative of Fields.
14. This Order constitutes the entire agreement and understanding of the parties concerning settlement of the violations identified in Section C of this Order, and there are no representations, warranties, covenants, terms or conditions agreed upon between the parties other than those expressed in this Order.
15. By his signature below, Fields voluntarily agrees to the issuance of this Order.

And it is so ORDERED this 13th day of July, 2021.



Jeffrey L. Hurst, Regional Director
Department of Environmental Quality

RECEIVED
MAY 11 2021
DEQ SWRO

Mr. Paul S. Fields voluntarily agrees to the issuance of this Order.

Date: 5-7-2021 By: Paul S. Fields
(Person)
Paul S. Fields

Commonwealth of Virginia

City/County of Scott.

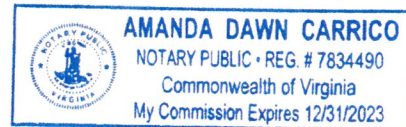
The foregoing document was signed and acknowledged before me this 7th day of
May, 2021, by Paul S. Fields.

Amanda Dawn Carrico
Notary Public

7834490
Registration No.

My commission expires: 12/31/2023

Notary seal:



APPENDIX A SCHEDULE OF COMPLIANCE

1. Fields shall immediately implement the approved SWM plan and SWPPP.
2. Fields shall immediately implement the approved ESC plan and properly install all sediment trapping controls, as specified within the approved ESC plan.
3. Fields shall immediately implement appropriate controls and take necessary actions to ensure sediment from the site is not transported onto paved or public roads as a result of vehicle and equipment Site egress. Where sediment is transported onto a paved or public road surface, the road surface shall be cleaned thoroughly at the end of each day. Sediment shall be removed from the roads by shoveling or sweeping and transported to an approved disposal site. Street washing shall be allowed only after sediment is removed in this manner.
4. Fields shall properly maintain all erosion and sediment control measures in an effective operating condition until such time that an adequate stand of permanent vegetation or other permanent stabilization measure (e.g., asphalt, concrete, etc.) is established and the controls are no longer needed.
5. Fields shall respond to any DEQ comments regarding corrective actions within seven days from the date of the DEQ comments.
6. Fields shall submit a report documenting completion of corrective actions noted above within ten days of completion of corrective actions.

Unless otherwise specified in this Order, Fields shall submit all requirements of Appendix A of this Order to:

Jonathan M. Chapman
Enforcement Specialist
Virginia DEQ
Southwest Regional Office
355-A Deadmore Street
Abingdon, Virginia 24210
Phone: (276) 525-2557
jonathan.chapman@deq.virginia.gov